

from civil liability to electronic communication service providers for certain assistance provided to the Government. **Page S775**

Bond/Rockefeller Modified Amendment No. 3938 (to Amendment No. 3911), to include prohibitions on the international proliferation of weapons of mass destruction in the Foreign Intelligence Surveillance Act of 1978. **Page S775**

Feinstein Amendment No. 3910 (to Amendment No. 3911), to provide a statement of the exclusive means by which electronic surveillance and interception of certain communications may be conducted. **Page S775**

Feinstein Amendment No. 3919 (to Amendment No. 3911), to provide for the review of certifications by the Foreign Intelligence Surveillance Court. **Page S775**

Specter/Whitehouse Amendment No. 3927 (to Amendment No. 3911), to provide for the substitution of the United States in certain civil actions. **Page S775**

A unanimous-consent agreement was reached providing that at approximately 9:30 a.m. on Friday, February 8, 2008, Senate continue consideration of the bill; that on Friday, February 8, 2008 and Monday, February 11, 2008, all remaining amendments be debated and all time used; provided further, that on Tuesday, February 12, 2008, at a time to be determined, Senate vote in relation to the amendments in an order specified later, with two minutes of debate prior to each vote, equally divided and controlled in the usual form, and any succeeding votes in the sequence be limited to 10 minutes; that no further amendments be in order on Tuesday, February 12, 2008; provided further, that upon disposition of all amendments, Senate vote on the motion to invoke cloture on the bill and that if cloture is invoked on the bill, the following Senators be recognized to speak for the specified times: Senator Dodd for up to 4 hours, and Senator Feingold for up to 15 minutes and that upon conclusion of those remarks, the Chairman and Ranking Member of the Select Committee on Intelligence for up to 10 minutes each, and the Chairman and Ranking Member of the Committee on the Judiciary for 20 minutes each; provided further, Senate then vote on passage of the bill, as amended, if amended; and that any other provisions of the previous orders remain in effect. **Pages S775–76**

**Nominations Confirmed:** Senate confirmed the following nominations:

- 23 Air Force nominations in the rank of general.
- 1 Army nomination in the rank of general.
- 1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S801–804**

**Nomination Withdrawn:** Senate received notification of withdrawal of the following nomination:

Paul DeCamp, of Virginia, to be Administrator of the Wage and Hour Division, Department of Labor, which was sent to the Senate on January 9, 2007. **Page S804**

**Messages from the House:** **Pages S781–82**

**Measures Referred:** **Page S782**

**Executive Communications:** **Pages S782–84**

**Petitions and Memorials:** **Page S784**

**Statements on Introduced Bills/Resolutions:** **Pages S785–97**

**Additional Statements:** **Page S781**

**Amendments Submitted:** **Pages S797–S800**

**Notices of Hearings/Meetings:** **Page S800**

**Authorities for Committees to Meet:** **Pages S800–01**

**Privileges of the Floor:** **Page S801**

**Record Votes:** Four record votes were taken today. (Total—12) **Pages S773, S776, S777**

**Recess:** Senate convened at 10:30 a.m. and recessed at 6:37 p.m., until 9:30 a.m. on Friday, February 8, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S803.)

## Committee Meetings

(Committees not listed did not meet)

### NATIONAL GUARD AND RESERVES

*Committee on Armed Services:* Committee concluded a hearing to examine the final report of the Commission on the National Guard and Reserves, after receiving testimony from Major General Arnold L. Punaro, USMCR (Ret.), Chairman, and William L. Ball, III, Patricia L. Lewis, and Major General E. Gordon Stump, USAF (Ret.), all Commissioners, all of the Commission on the National Guard and Reserves.

### DEPARTMENT OF DEFENSE

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded a hearing to examine business transformation and financial management at the Department of Defense, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; and Paul A. Brinkley, Deputy Under Secretary for Business Transformation, Peter E. Kunkel, Principal Deputy Assistant Secretary of

the Army for Financial Management and Comptroller, Douglas A. Brook, Assistant Secretary of the Navy for Financial Management and Comptroller, and John H. Gibson, Assistant Secretary of the Air Force for Financial Management and Comptroller, all of the Department of Defense.

#### GOVERNMENT-SPONSORED ENTERPRISES

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine ways to reform the regulation of government-sponsored enterprises, after receiving testimony from David G. Nason, Assistant Secretary of the Treasury for Financial Institutions; James B. Lockhart, III, Director, Office of Federal Housing Enterprise Oversight; Ronald A. Rosenfeld, Chairman, Federal Housing Finance Board; Richard F. Syron, Federal Home Loan Mortgage Corporation, McLean, Virginia; and Daniel H. Mudd, Federal National Mortgage Association, Washington, D.C.

#### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration, and Simon Charles Gros, of New Jersey, to be an Assistant Secretary for Governmental Affairs, who was introduced by Representative LoBiondo, both of the Department of Transportation, after the nominees testified and answered questions in their own behalf.

#### RENEWABLE FUEL STANDARD

*Committee on Energy and Natural Resources:* Committee concluded an oversight hearing to examine the energy market effects of the recently-passed renewable fuel standard enacted as part of the Energy Independence and Security Act (Public Law 110–140), after receiving testimony from Alexander Karsner, Assistant of Energy, Office of Energy Efficiency and Renewable Energy; Robert J. Meyers, Principal Deputy Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Carol Werner, Environmental and Energy Study Institute, Charles T. Drevna, National Petrochemical and Refiners Association, Michael J. McAdams, Advanced Biofuels Coalition, and Bob Dinneen, Renewable Fuels Association, all of Washington, D.C.; and Brian Jennings, American Coalition for Ethanol, Sioux Falls, South Dakota.

#### MEDICARE PRIVATE PLANS

*Committee on Finance:* Committee concluded an oversight hearing to examine selling to seniors, focusing on the need for accountability and oversight of marketing and sales by Medicare private plans, after re-

ceiving testimony from Michael McRaith, Illinois Division of Insurance, Springfield, on behalf of the National Association of Insurance Commissioners; Peter C. Hebertson, Salt Lake County Aging Services, Salt Lake City, Utah; Patrick O'Toole, Humana Inc., Louisville, Kentucky; and George Harper, Mayflower, Arkansas.

#### KENYA

*Committee on Foreign Relations:* Subcommittee on African Affairs concluded a hearing to examine the immediate and underlying causes and consequences of Kenya's flawed election, after receiving testimony from Jendayi Frazer, Assistant Secretary of State for African Affairs; Katherine J. Almquist, Assistant Administrator for Africa, United States Agency for International Development (USAID); and Chris Albin-Lackey, Human Rights Watch, Joel D. Barkan, Center for Strategic and International Studies, and David Mozersky, International Crisis Group, all of Washington, D.C.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Hector E. Morales, of Texas, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador, who was introduced by Senator Hutchison, Larry Woodrow Walther, of Arkansas, to be Director of the Trade and Development Agency, who was introduced by Senator Lincoln, Ana M. Guevara, of Florida, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, and Jeffrey J. Grieco, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, after the nominees testified and answered questions in their own behalf.

#### NOMINATION

*Committee on Indian Affairs:* Committee concluded a hearing to examine the nomination of Robert G. McSwain, of Maryland, to be Director of the Indian Health Service, Department of Health and Human Services, after the nominee testified and answered questions in his own behalf.

#### FOUNDING FATHERS PROJECT

*Committee on the Judiciary:* Committee concluded a hearing to examine the Founding Fathers Project, focusing on ensuring public access to the complete annotated writings of the six founding fathers of the United States, after receiving testimony from Deanna B. Marcum, Associate Librarian for Library Services, Library of Congress; Allen Weinstein, Archivist of the United States, National Archives and Records

Administration; Stanley Katz, Princeton University Woodrow Wilson School, Princeton, New Jersey; Rebecca W. Rimel, Pew Charitable Trusts, Philadel-

phia, Pennsylvania; Ralph Ketcham, Syracuse University Maxwell School, Syracuse, New York; and David G. McCullough, Camden, Maine.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 74 public bills, H.R. 5244–5317; 14 private bills, H.R. 5318–5331; and 10 resolutions, H. Con. Res. 289–290; and H. Res. 963–970 were introduced.

**Pages H811–13**

**Additional Cosponsors:**

**Pages H813–15**

**Reports Filed:** There were no reports filed today.

**Chaplain:** The prayer was offered by the guest Chaplain, Pastor Wes Davis, Riverton Friends Church, Baxter Springs, Kansas.

**Page H625**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, February 6th:

*Calling for a peaceful resolution to the current electoral crisis in Kenya:* H. Con. Res. 283, amended, to call for a peaceful resolution to the current electoral crisis in Kenya, by a 2/3 yea-and-nay vote of 405 yeas to 1 nay, Roll No. 34;

**Page H640**

*Extending for one year parity in the application of certain limits to mental health benefits:* H.R. 4848, amended, to extend for one year parity in the application of certain limits to mental health benefits by a 2/3 yea-and-nay vote of 384 yeas to 23 nays, Roll No. 35; and

**Pages H640–41**

*Congratulating Lee Myung-Bak on his election to the Presidency of the Republic of Korea and wishing him well during his time of transition and his inauguration on February 25, 2008:* H. Res. 947, to congratulate Lee Myung-Bak on his election to the Presidency of the Republic of Korea and wishing him well during his time of transition and his inauguration on February 25, 2008, by a 2/3 yea-and-nay vote of 388 yeas with none voting “nay”, Roll No. 41.

**Page H783**

**Moment of Silence:** The House observed a moment of silence in memory of the victims who lost their lives in the tornado outbreak in Alabama, Arkansas, Kentucky and Tennessee.

**Page H640**

**College Opportunity and Affordability Act of 2007:** The House passed H.R. 4137, to amend and

extend the Higher Education Act of 1965, by a yea-and-nay vote of 354 yeas to 58 nays, Roll No. 40.

**Pages H641–H783**

Rejected the Ferguson motion to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 194 yeas to 216 noes, Roll No. 39.

**Pages H780–82**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

**Page H658**

Pursuant to section 6 of the rule, H. Res. 941 is laid upon the table.

**Accepted:**

George Miller (CA) manager's amendment (No. 1 printed in H. Rept. 110–523) that makes technical changes to the bill, as well as changes to the provisions on college costs to a more consumer friendly approach, while keeping the focus on accountability; revises the definition of the state funds that count toward meeting the State Maintenance of Effort requirement; revises a technical amendment to Pell grant funding; modifies the Cohort Default Rate provisions to provide for a transition period before the new sanctions are imposed and provides for targeted technical assistance to schools in danger of losing their federal student aid as a result of high Cohort Default Rates; provides assurances that students will be aware of lower-cost federal student aid options before turning to more expensive private loans and a means to help students avoid potentially compromising their federal aid eligibility by inadvertently relying on private student loans or borrowing excess amounts of private student loans; and includes studies;

**Page H736**

McKeon amendment (No. 2 printed in H. Rept. 110–523) that requires the National Research Council to conduct a study of the regulations on institutions of higher education;

**Pages H751–52**

Hinojosa en bloc amendment consisting of the following amendments printed in H. Rept. 110–523: No. 3, that authorizes discretion currently exercised